



# NEWS RELEASE

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**FOR IMMEDIATE RELEASE**

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## **FOUR DEFENDANTS NAMED IN BEAUMONT MAIL FRAUD SCHEME**

(Beaumont, TX) Acting United States Attorney John L. Ratcliffe announced that four people were identified today in various court documents alleging a complex mail fraud scheme.

**WENDELL "Chip" RADFORD, JR.**, 41, of Beaumont, was named in a ten-count Indictment alleging conspiracy to commit mail fraud, mail fraud, and money laundering. **PHILIP GUADAGNO**, 56, of Vidor, Texas was named in an Information alleging one count of conspiracy to commit mail fraud. **SONIA ELEFANO**, 55, and **AUNGNAPA TANSAMRIT**, 60, of Beaumont were charged with misprision of a felony, specifically concealing a mail fraud scheme. United States District Judge Marcia Crone will preside over these cases.

According to court documents, Guadagno, Elefano, and Tansamrit worked for Helena Laboratories in Beaumont, Texas. Helena Labs manufactures testing materials for the biotechnical and biopharmaceutical communities. One of Helena's principal products, QuickGel, is a film gel that scientists use to secure and analyze blood serum and other DNA samples.

In 2003, Guadagno and the other Helena employees discovered a

process to dramatically improve or “derivatize” the film gels, but did not disclose their discovery to Helena. Rather, they concealed the discovery and shipped the improved or “derivatized” material to an independent company in Ohio. Guadagno then used his position to cause Helena to order the derivatized material from the Ohio company at inflated prices. The Ohio company repackaged the material received from Guadagno and sent the material and an invoice back to Helena. After Helena paid the Ohio company for the derivatized material, the Ohio company kicked back most of the money to the Helena employees.

According to additional documents, in February 2005, Guadagno sought advice from a local Beaumont lawyer, Wendell Radford, Jr. Guadagno described the kickback scheme to Radford, and Radford agreed to assist by disguising the scheme by funneling the money through shell corporations. Radford formed a shell company named WindCat, LLC and opened up a bank account for WindCat. Thereafter, WindCat submitted bogus invoices to the Ohio company and the Ohio company paid WindCat rather than the individual Helena employees. WindCat in turn used the funds to purchase real estate in Beaumont and Crystal Beach, Texas and made cash payments to relatives of the Helena employees.

Ratcliffe praised the FBI for their work on this case, “These agents have done an outstanding job following the complex evidence trail of this sophisticated mail fraud scheme.” Ratcliffe said the investigation is ongoing.

Ratcliffe is serving as the Acting United States Attorney in this case. United States Attorney Matthew D. Orwig recused himself from the case

because of his close professional relationship with the Jefferson County District Attorney's Office and recommended Ratcliffe's appointment by the Justice Department. Wendell Radford, Jr. was employed by the Jefferson County District Attorney's Office at the time of the acts alleged in the Indictment.

Indictment vs. Information: Indictments and Informations are two similar types of charging documents that identify allegations against a person. Under the United States Constitution and federal criminal procedures, a person is entitled to have a grand jury review evidence of any felony allegation before allegations are made public, and upon finding sufficient evidence of a felony, the grand jury can issue an Indictment. If a person waives his or her right to an Indictment by grand jury, the government files an Information. Neither an Indictment nor an Information is evidence of guilt and all persons are entitled to a presumption of innocence.

If convicted, Radford faces up to 20 years in federal prison for each count of wire fraud, although under the United States Sentencing Guidelines, he would likely be sentenced to substantially less time. Guadagno faces up to five years in federal prison and the other defendants face up to three years in federal prison.

These cases are being investigated by the Federal Bureau of Investigation and prosecuted by Assistant United States Attorneys Arnold Spencer, Malcolm Bales and Robert Rawls.

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